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Governor

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Lieutenant Governor

New Mexico
ENVIRONMENT DEPARTMENT
Air Quality Bureau
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Phone (505) 476-4300
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RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL NO. 7007 3020 0000 0630 2150
RETURN RECEIPT REQUESTED

Permittee:

Southwest Concrete and Paving
P.O. Box 2278
Silver City, NM 88062

NSR Air Quality Permit No. 0337-M1-R1
Silver City HMA Plant
Tempo No. 529 – PRN 20080001
AIRS No. 35-017-0007

Company Official:

Roy Newman
Director of Compliance

Mary Uhl
Bureau Chief
Air Quality Bureau

JAN 16 2009
Date of Issuance

This permit is not effective until the Department receives the permit fee. See Specific Conditions.

Air Quality Permit No. 0337-M1-R1 is issued by the Air Quality Bureau of the New Mexico Environment Department (Department) to Southwest Concrete and Paving (Permittee) pursuant to the Air Quality Control Act (Act) and regulations adopted pursuant to the Act including Title 20, Chapter 2, Part 72 of the New Mexico Administrative Code (NMAC), (20.2.72 NMAC), Construction Permits and is enforceable pursuant to the Act and the air quality control regulations applicable to this source.

This permit authorizes the construction and operation of a portable 90 ton per hour Barber Green A-8 drum mix asphalt plant which produces asphalt pavement for roads, highways and streets. This facility is authorized to be located initially in Township 17S, Range 14W, Section 35 in Grant County. The plant shall not be relocated without prior approval from the Department (see Condition 7, Plant Relocation Notice and Condition 8, Restriction on Relocation).

This revision consists of a reduction in operating rate from 90 TPH to 85 TPH, reduction in requested allowable particulate matter (TSP, PM10, and PM2.5) emissions from 36 lb/hr to 14 lb/hr, and installation of a baghouse on the lime/mineral filler silo.

This permit supersedes all portions of Air Quality Permit No. 0337-M1, issued November 3, 1995, except the portion requiring compliance tests. Compliance test conditions from previous permits are still in effect, in addition to compliance test requirements contained in this permit.

The Department has reviewed the permit application for the proposed construction. Based on the control measures described in your application and the conditions of this permit, the Department has determined that the provisions of the Act and ambient air quality standards will be met. Conditions have been imposed in this permit to assure continued compliance. 20.2.72.210.D NMAC, states that any term or condition imposed by the Department on a permit or permit revision is enforceable to the same extent as a regulation of the Board.

Pursuant to 20.2.75.11 NMAC, the Department will assess an annual fee for this facility. This regulation set the fee amount at $1,500 through 2004 and requires it to be adjusted annually for the Consumer Price Index on January 1. The current fee amount is available by contacting the Department or can be found on the Department's website. The AQB will invoice the Permittee for the annual fee amount at the beginning of each calendar year. This fee does not apply to sources which are assessed an annual fee in accordance with 20.2.71 NMAC. For sources that satisfy the definition of "small business" in 20.2.75.7.F NMAC, this annual fee will be divided by two.

All fees shall be remitted in the form of a corporate check, certified check, or money order made payable to the "NM Environment Department, AQB" mailed to the address shown on the invoice and shall be accompanied by the remittance slip attached to the invoice.

TOTAL EMISSIONS

The total potential emissions from this facility, excluding exempted activities, are shown in the following table. Emission limitations for individual units are shown in Specific Condition 2.

Total Potential Emissions from Entire Facility (for information only, not an enforceable condition):

Pollutant	**Emissions** (tons per year)
Nitrogen Oxides (NOx)	7.1
Carbon Monoxide (CO)	7.5
Volatile Organic Compounds (VOC)	7.7
Sulfur Dioxide (SO_2)	13.0
Total Suspended Particulates (TSP)	30.7
Particulate Matter < 10 μm (PM10)	30.7
Particulate Matter < 2.5 μm (PM2.5)	30.7

Total Potential TAPS that exceed one ton per year (for information only, not an enforceable condition):

Pollutant	**Emissions** (tons per year)
Asphalt fumes	2.6

Pursuant to 20.2.72 NMAC, and the specific regulatory citations in parenthesis, the facility is subject to the following conditions.

SPECIFIC CONDITIONS

Fee Requirement: This permit is not effective until the Department receives the permit fee specified in the attached invoice. Pursuant to 20.2.75.12 NMAC, the Permittee shall pay this invoice no later than thirty (30) days after the permit issue date (invoicing), unless the Department has granted an extension. The permit fee must be paid by this date regardless of the Permittee's intended use or non-use of the permit or of the Department's cancellation of the permit. The Permittee's failure to pay this fee when due will automatically void the permit, and the Department may initiate enforcement action to collect the fee and assess a civil penalty for non-payment. The Permittee shall not construct the equipment or implement the operation specified in Specific Conditions 1.a. through 1.p. before the date that the Department receives the permit fee in full. The Department may initiate enforcement action for injunctive relief and civil penalties for any construction or operation specified in Specific Conditions 1.a. through 1.p. if the permit fee is not paid by the due date.

1. Construction/Modification/Revision and Operation
(20.2.11 NMAC, 20.2.72 NMAC)

a) All of the process equipment authorized for this facility is listed in Table 1.a. - Regulated Equipment List. All equipment shall be maintained as per emissions related manufacturer specifications to ensure the emissions remain at or below the permitted levels. Manufacturer specifications shall be made available to the Department personnel upon request. Emission units that were identified as exemptions

and equipment not regulated pursuant to the Act are not included in Table 1.a.

Substitution of equipment that are listed in Table 1.a. are authorized, provided the replacement equipment is functionally equivalent and has the same or lower process capacity (listed in Table 1.a.) as the piece of equipment it is replacing in the most recent permit. The replacement equipment shall be equipped and operated so that it will comply with all emissions limits, control equipment, and other conditions of this permit. Equipment substitutions shall be submitted on forms provided by the Department.

Table 1.a.: Regulated Equipment List

Unit No.	Source Description	Make Model	Serial No.	[1]Capacity	Manufacture Date	Control Equipment
1	Cold Aggregate Bins (3 allowed)	Barber-Greene DA 50-80A	Unknown	10 tons each	<1971	None
2	Cold Aggregate Bin Conveyor	Barber-Greene DA 50-80A	Unknown	90 tph	<1971	None
[2]3	Lime Silo with Auger, equipped with control device	Ross	Unknown	35 tons	Unknown	Baghouse
4	Aggregate Drum Dryer	Barber-Greene DA 50-80A	Unknown	90 tph	<1971	Wet Scrubber
5	Aggregate Dryer Elevator	Barber-Greene DA 50-80A	Unknown	90 tph	<1971	Wet Scrubber
6	Hot Bins/Screens	Barber-Greene DA 50-80A	Unknown	90 tph	<1971	Wet Scrubber
7	Hot Batcher Asphalt Mixer	Barber-Greene DA 50-80A	Unknown	90 tph	<1971	Wet Scrubber
8	Asphalt Loadout Conveyor	Shopbuilt	Unknown	90 tph	Unknown	None
9	Asphalt Silo	Shopbuilt	Unknown	90 tph	Unknown	None
10	Asphalt Cement Pre-Heater	Childress	Unknown	1.84 MMBtu/hr	Unknown	Wet Scrubber
14	Asphalt Cement Tank	Shopbuilt	Unknown	10,000 gal	Unknown	None

[1] Capacities listed were based on the maximum design capacity for the Barber-Greene A-8 Plant.
[2] The lime silo is required to have a control device through the provisions of 20.2.11.109 NMAC.

b) The following Table 1.b - Exempted Equipment List is included for information only and as an aid during plant inspections (20.2.72.202.B.2 NMAC).

Table 1.b: Exempted Equipment List

Unit No.	Source Description	Capacity
11	Burner Fuel Oil Tank	10,000 gallons
12	Highway Use Diesel Tank	10,000 gallons
13	Non-Highway Use Diesel Tank	12,000 gallons

c) The facility shall be constructed and operated in accordance with all representations in the permit application dated November 14, 2008 and received November 19, 2008, with modifications received December 12, 2008 and December 30, 2008, and unless modified by conditions of this permit.

d) The production rate shall not exceed 85 tons per hour. This production rate was specified in the permit application and was the basis for the Department's modeling analysis to determine compliance with the applicable ambient air quality standards.

e) The use of a maximum of 1.5% hydrated lime and/or mineral filler by weight of asphalt produced is permitted.

f) All particulate emissions from the lime/mineral filler silo shall be ducted to and controlled with a dust collection system (baghouse).

g) All asphalt process equipment, except the lime/mineral filler silo, but including the Aggregate Drum Dryer, Aggregate Dryer Elevator, Hot Bins/Screens, Hot Batcher/Mixer, and the Asphalt Cement Pre-Heater (Units 4,5,6,7,10), shall be operated and maintained so that all particulate emissions are ducted to a single stack outlet and controlled using a wet scrubber.

h) All NOx, CO, VOC, and SO_2 emissions from Units 4,5,6,7,10 shall be ducted to the wet scrubber stack.

i) The temperature of the hot aggregate as it leaves the Drum Dryer, Unit 4, shall not exceed 340 °F.

j) The average hourly bulk liquid temperature of the asphalt cement stored in the Asphalt Cement Tank, Unit 14, shall not exceed 340 °F.

k) This facility, including all permitted equipment and related activities such as truck traffic involving movement of feedstock or product, is restricted to operate no more than 12 hours per day, 7 days per week and 4380 hours per year. Additionally, the plant may only operate between the daylight hours of sunrise and sunset, as defined by the Astronomical Applications Department of the U.S. Naval Observatory. (Data for one day or a table of sunrise/sunset for an entire year and a given location can be obtained at http://aa.usno.navy.mil/. Alternatively, the sunrise and sunset times can be obtained from The Old Farmers Almanac or from http://www.almanac.com/rise/).

l) Changes in plans, specifications, and other representations proposed in the application documents shall not be made if they cause a change in the method of control of emissions or in the character of emissions, or will increase the discharge of emissions. Any such proposed changes shall be submitted as a revision or

modification to this permit. No revision or modification shall begin prior to issuance of a permit.

m) Prior to any asbestos demolition or renovation work, the permittee shall determine whether 40 CFR 61, Subpart M, National Emissions Standards for Asbestos applies and shall submit all applicable notifications to the Department.

n) Haul Road Fugitive Emission Control:

1) Unpaved truck traffic areas and all unpaved haul roads going in and out of the plant site shall be treated with a surface stabilizing agent to control particulate emissions (90% emission control required).

2) Paved truck traffic areas and all paved haul roads going in and out of the plant site shall be swept to control particulate emissions (95% emission control required).

These control measures shall be used on roads as far as the nearest public road.

This Specific Condition has been placed in the permit as a result of air dispersion modeling performed by the Department in order to meet state and federal total suspended particulate (TSP), PM10, and PM2.5 ambient air quality standards.

o) Condition 2 of this permit reduces the potential emission rate of the drum mixer and lime/mineral filler silo to values below those allowed prior to the date of issuance of this permit. The compliance date for construction and operation of the pollution control device on the lime silo is 180 days after issuance of this permit. Lowering the drum mixer production rate to 85 TPH is required upon issuance of this permit. These are the required actions to achieve the reduction in potential emission rate.

p) This facility may co-locate at its present location (1955 Hilltop Road, Silver City, NM) with the concrete batch plant to be permitted under NSR permit No. 3813.

Compliance with Specific Condition 1 will be based on Department inspections of the facility and Department reviews of production records.

2. Emission Limits
(20.2.11.109 NMAC, 20.2.72.210 NMAC, paragraphs A and 210.B.1.b)

a) Emissions from this facility are limited to the rates specified in the following table.

Table 2.a: Allowable Emissions

Unit No	TSP		PM10		PM2.5		NOx[1]		CO		VOC		SO2	
	pph	tpy	pph	tpy	pph	tpy	pph	tpy	pph	tpy	pph	tpy	pph	tpy
[2]4,5,6,7,10	14.0	30.7	14.0	30.7	14.0	30.7	3.2	7.1	3.4	7.5	3.5	7.7	5.8	13.0

[1] Nitrogen dioxide emissions include all oxides of nitrogen expressed as NO_2
[2] All emissions from Units 4,5,6,7,10 are ducted to the wet scrubber stack outlet.

b) To comply with 20.2.11 NMAC, section 109, the permittee shall not operate asphalt processing equipment (such as hot aggregate and lime processing equipment, and the dryer) without a fugitive dust control system(s). The fugitive dust control system(s) shall be operated and maintained so that uncontrolled dust exhibits no more than 5 minutes of visible emissions during any 2 consecutive hours from the asphalt process equipment. Fugitive particulate emissions from other operations in support of the asphalt plant (such as the Cold Aggregate Bins (Unit 1), the Cold Aggregate Bin Conveyor (Unit 2), front-end loaders, and materials handling around the asphalt process equipment) are not subject to section 109.

Compliance with Specific Condition 2 will be based on Department inspections of the facility, compliance with the emission limits conducted in accordance with the test methods specified in Condition 9, Compliance Tests, and the record keeping requirement specified in Condition 5.e. related to fuel oil sulfur content.

3. Baghouse or Wet Scrubber Malfunctions
(20.2.72.210 NMAC paragraph B.4, and 20.2.7 NMAC)

In the event that the lime/mineral filler silo baghouse bags become damaged, torn or ripped OR the wet scrubber malfunctions, the facility will cease operations until repairs are made. In addition, the company shall notify the Department about such malfunction in accordance with the requirements contained in 20.2.7 NMAC, Excess Emissions.

Compliance with Specific Condition 3 will be based on Department inspections of the facility and upon compliance with the emission limits and opacity readings conducted in accordance with the test methods specified in Condition 9, Compliance Tests and the record keeping and notification requirements in this permit.

4. Monitoring
(20.2.72.210.C NMAC)

a) The differential pressure (inches of water) across the lime/mineral filler baghouse and across the wet scrubber shall be continuously monitored by the use of differential pressure gauges. A flowmeter to measure the water flow rate (gallons per minute) into

the wet scrubber and a water pressure gauge to measure the water inlet pressure (pounds per square inch) shall also be installed. Gauges shall be maintained in good operating condition.

b) The temperature of the hot aggregate as it leaves the Drum Dryer, Unit 4, shall be monitored at least once daily during normal operating conditions.

c) The temperature of the asphalt cement stored in the Asphalt Cement Tank, Unit 14, shall be monitored at least once daily whenever the facility is operating.

d) For Conditions 4.b. and 4.c., temperatures shall be determined using a thermocouple and data logger capable of storing an hourly average temperature. The temperature shall be determined with an accuracy of ± 2 °F or better.

Compliance with Specific Condition 4 will be based on Department inspections of the facility to verify that the instruments have been installed and are in good working order, and inspections of the records.

5. Recordkeeping
(20.2.72.210.E NMAC)

Daily operating logs and records of the following operating parameters and information recorded during all hours the asphalt plant is operating shall be kept.

a) The differential pressure drop across the lime/mineral filler baghouse and across the wet scrubber, and wet scrubber water pressure and water flow rate shall be recorded once each day that the facility is operating. The date and time of measurement and the name of the person making the measurement shall be included in the record.

b) The highest hourly average temperature of the hot aggregate as it leaves the Drum Dryer, Unit 4, and the asphalt cement stored in the Asphalt Cement Tank, Unit 14, shall be recorded once each day that the facility is operating.

c) Hours of operation shall be recorded. Intermittent operation shall be noted by recording time operations ceased and time of subsequent startup.

d) The hourly asphalt production rate (maximum tons per hour) shall be recorded. The total asphalt production for each day shall be recorded at the end of each day.

e) A record of the sulfur content of the fuel oil shall be maintained for each shipment of fuel received.

All records shall be maintained at the plant site for a minimum of two (2) years from the time of recording and shall be made available to Department personnel upon request.

Compliance with Specific Condition 5 will be based on Department inspections of records and logs.

6. Reporting
(20.2.72 NMAC, Sections 210.E and 212)

a) All malfunctions or other problems with process or control equipment resulting in excess emissions shall be reported to the Department as required by 20.2.7 NMAC - Excess Emissions .

b) The permittee shall notify the Enforcement Section, Air Quality Bureau in writing of:

1) the anticipated date of the plant's first startup following issuance of this permit not less than thirty (30) days prior to the date;

2) the actual date of this plant's first startup after issuance of this permit within fifteen (15) days of the startup date;

3) any necessary update or correction no more than sixty (60) days after the operator knows or should have known of the condition necessitating the update or correction of the permit.

Compliance with Specific Condition 6 will be based on the timely submittal of the required reports.

7. Plant Relocation Notice
(20.2.72.202.B NMAC)

The Department shall be notified in writing fifteen (15) days prior to any relocation of the plant, including relocation back to a previously permitted site, using the Department's Relocation Notice form, and shall be accompanied by a detailed plot plan showing the leased/owned property, the area disturbed by the operations, including the mining area and haul roads, all other particulate emitting facilities within one (1) mile of the facility's proposed boundaries, and all occupied buildings within 1/4 mile of the facility's proposed boundaries. At the time of notification, the operator shall also post notice of the relocation at the relocation site in such a manner that the public has access to information concerning the proposed relocation. The operation of a facility at a new location shall not commence until the Department has officially approved the new location.

Compliance with Specific Condition 7 will be based on timely notifications, and submission of all information required in this permit condition.

8. Restriction on Relocation
(20.2.72.200.F NMAC)

The property boundary of the plant is defined as the perimeter of the area of operations inclusive of all disturbed lands, including mining and overburden removal areas, used for the

job.

a) Upon relocation of this hot mix asphalt plant, the permittee shall submit air dispersion modeling that is approved by the Department, which indicates that ambient air quality standards will not be exceeded at the restricted area boundary. The Department shall have at least 30 days to complete such technical review of the permit and shall provide a fee invoice.

b) This facility shall not remain at any one site for more than one year from the date of initial startup at a location where the prevention of significant deterioration minor source baseline date for that air quality control region (AQCR) has been established for NOx, SO2, or PM10. In this circumstance, the minimum distance of relocation from the facility's current location is one (1) mile.

c) Approval of relocation may be denied if the relocation falls within any of the following categories:

1) the plant, as defined by its property boundary, is to be relocated within any city or town boundaries, and was not initially reviewed for these conditions;

2) the plant, as defined by its property boundary, is to be relocated within one-quarter (1/4) mile of a private residence, office building, a school or other occupied structure;

3) the plant, as defined by its property boundary, is to be relocated within one (1) mile of another particulate-emitting facility;

4) the plant is to be relocated in an area where any Prevention of Significant Deterioration (PSD) increments, national ambient air quality standards (NAAQS), or New Mexico ambient air quality standards (NMAAQS) have been or will be exceeded,

5) the plant is to be relocated within 5 km of a Class I area.

The Department will promptly notify the operator if relocation is denied. The Department may require additional controls at some relocation sites to ensure compliance with ambient air quality standards. When a plant leaves New Mexico, or the Department's jurisdiction, the Department shall be notified. When a plant intends to return to New Mexico, or the Department's jurisdiction a relocation notice shall be filed with the Department.

Compliance with Specific Condition 8 will be based on Department inspections of the facility and the receipt of notification and approval of relocation within fifteen (15) days of relocation.

9. Compliance Tests
(20.2.72 NMAC Sections 210.C and 213)

a) Initial compliance tests for PM, NO_X, and CO are required for the wet scrubber stack. These tests shall be conducted in accordance with EPA Reference Methods 1 through 4, 5, 7E, and 10 contained in 40 CFR 60, Appendix A. Tests for the wet scrubber stack shall be conducted at 90% of full operating capacity, unless an exception is requested and granted by the Department (as described in Condition 9.i.).

b) Initial and quarterly compliance tests for visible emissions are required for the wet scrubber and lime/mineral filler stacks per the requirements of Specific Condition 2.b. Tests shall be conducted in accordance with EPA Reference Method 22 using a 10-minute observation period. For the wet scrubber stack, tests shall be conducted at 90% of full operating capacity unless an exception from the Department Enforcement Section is requested. For the lime/mineral filler silo stack, tests shall be conducted during a silo loading event.

c) Compliance test requirements from previous permits (if any) are still in effect, unless the tests have been satisfactorily completed. Compliance tests may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions.

d) The tests shall be conducted within sixty (60) days of the issuance of this permit. The owner or operator shall notify the Department at least thirty (30) days prior to the test date and allow a representative of the Department to be present at the test. The permittee shall arrange a pretest meeting with the Department at least thirty (30) days prior to the test date and shall observe the following pre-testing and testing procedures:

e) The permittee shall provide for the Department's approval a written test protocol at least one (1) week prior to the anticipated pre-test meeting date. The protocol shall describe the test methods to be used (including sampling locations), and shall describe data reduction procedures. Any variation from the established sampling and analytical procedures or from facility operating conditions shall be presented for Department approval.

f) The test protocol and compliance test report shall conform to the standard format specified by the Department. The most current version of the format may be obtained from the Enforcement Section of the Air Quality Bureau.

g) The permittee shall provide (1) sampling ports adequate for the test methods applicable to such facility, (2) safe sampling platforms, (3) safe access to sampling platforms, and (4) utilities for sampling and testing equipment. Sample ports of a size compatible with the test methods shall be located on the stack of the baghouse in accordance with the provisions of Method 1 of 40 CFR 60, Appendix A. The stack shall be of sufficient height and diameter so that a representative test of the emissions can be performed in

accordance with Method 1.

h) Where necessary to prevent cyclonic flow in the stack, flow straighteners shall be installed in accordance with 40 CFR 60, Appendix A, Method 1.

i) During the compliance tests, lime/mineral filler silo baghouse pressure drop, the wet scrubber pressure drop, wet scrubber water pressure and flow rate, the fuel sulfur content, and the plant's hourly production rate shall be monitored and recorded. This information shall be included with the test report that is required to be furnished to the Bureau and shall be listed in tabular form or as part of the summary page of the test report. The tests shall be conducted at ninety percent (90%) or greater of the full normal load as stated in this permit, or in the application if not in the permit, and at additional loads when requested by the Department. The test shall include the use of 1.5% hydrated lime to demonstrate compliance with the emission limits. The permittee may request exceptions to this loading (such as loading necessitated by operating condition) from the Enforcement Section of the Air Quality Bureau. The load and the parameters used to calculate it shall be recorded to document operating conditions and shall be included with the test report to the Department.

j) Two copies of the compliance test results shall be submitted to the Department within thirty (30) days after the completion of testing; one to the Permits Section and the other to the Enforcement Section.

Compliance with Specific Condition 9 will be based on the satisfactory completion of the compliance tests, the timely submittal of the test report to the Department, and on meeting the emission limits specified in this permit.

10. Revisions and Modifications
(20.2.72 NMAC, Sections 200.A.2 and E, and 210.B.4)

Any future physical changes or changes in the method of operation may constitute a modification as defined by 20.2.72 NMAC, Construction Permits. Unless the source or activity is exempt under 20.2.72.202 NMAC, no modification shall begin prior to issuance of a permit.

Modifications or revisions to this permit shall be processed in accordance with 20.2.72 NMAC.

Compliance with Specific Condition 10 will be based on Department inspections and the submittal of appropriate application for permit modifications or revisions.

11. Right to Access Property and Review Records
(NMSA 1978, Section 74-2-13)

The Department shall be given the right to enter the facility at all reasonable times to verify the terms and conditions of this permit. The company, upon either a verbal or written request from an authorized representative of the Department, shall produce any records or information necessary to establish that the terms and conditions of this permit are being met, including submission of reports to the Department according to time frames specified by the Department.

Compliance with Specific Condition 11 will be based on Department inspections of the facility, production of records and information required to be maintained, and non-restricted entry to the property as defined in this condition.

12. Posting/Retention of the Permit

The owner or operator shall retain onsite and make available to the Department upon request this Permit, including the completed registration form and approval letter.

Compliance with Specific Condition 12 will be based on Department inspections of the facility which show that a copy of the permit has been posted.

13. Notification to Subsequent Owners
(20.2.72 NMAC, Sections 7.P.1 and 212.C)

The permit and conditions apply in the event of any change in control or ownership of the facility. No permit modification is required in such case; however, in the event of any such change in control or ownership, the permittee shall notify the succeeding owner of the permit and the conditions. The permittee shall also notify the Department within fifteen (15) days of the change in control or ownership.

Any new owner or operator shall notify the Department, within thirty (30) days of assuming ownership, of the new owner's or operator's name and address.

Compliance with Specific Condition 13 will be based on the permittee's notification of the permit and its conditions to any succeeding owner and notification of the change in ownership to the Department.

14. Permit Cancellations
(20.2.72.211 NMAC)

a) The Department shall automatically cancel any permit for any source which ceases operation for five (5) years or more, or permanently. Reactivation of any source after the five (5) year period shall require a new permit.

b) The Department may cancel a permit if the construction or modification is not commenced within two (2) years from the date of issuance or if, during the construction or modification, work is suspended for a total of one (1) year.

15. Pursuant to 20.2.72.210.A NMAC, the contents of a permit application specifically identified by the Department shall become the terms and conditions of the permit or permit revision. Unless modified by conditions of this permit, the applicant shall construct or modify and operate the facility in accordance with all representations of the application and supplemental submittals that the Department relied upon to determine compliance with applicable regulations and ambient air quality standards. If the Department relied on air quality modeling to issue this permit, any change in the parameters used for this modeling shall be submitted to the Department for review. Upon the Department's request, the applicant shall submit additional modeling for review by the Department. Results of that review may require a permit modification.

ADDITIONAL REQUIREMENTS

Applications for permit revisions and modifications, and items listed under Additional Requirements shall be submitted to:

Program Manager, Permits Section
New Mexico Environment Department
Air Quality Bureau
1301 Siler Road, Building B
Santa Fe, New Mexico 87507-3113

Compliance test protocols, test notifications, relocation notices, and a second copy of test results, shall be submitted to:

Program Manager, Enforcement Section
New Mexico Environment Department
Air Quality Bureau
1301 Siler Road, Building B
Santa Fe, New Mexico 87507-3113

Regularly scheduled reports (annual, semiannual, quarterly, or monthly) shall be submitted to:

Program Manager, Compliance and Enforcement Section
New Mexico Environment Department
Air Quality Bureau
1301 Siler Road, Building B
Santa Fe, New Mexico 87507-31

REVOCATION

The Department may revoke this permit if the applicant or permittee has knowingly and willfully

misrepresented a material fact in the application for the permit. Revocation will be made in writing, and an administrative appeal may be taken to the Secretary of the Department within thirty (30) days. Appeals will be handled in accordance with the Department's Rules Governing Appeals From Compliance Orders.

APPEAL PROCEDURES

20.2.72.207 NMAC, provides that any person who participated in a permitting action before the Department and who is adversely affected by such permitting action, may file a petition for hearing before the Environmental Improvement Board. The petition shall be made in writing to the Environmental Improvement Board within thirty (30) days from the date notice is given of the Department's action and shall specify the portions of the permitting action to which the petitioner objects, certify that a copy of the petition has been mailed or hand-delivered and attach a copy of the permitting action for which review is sought. Unless a timely request for hearing is made, the decision of the Department shall be final. The petition shall be copied simultaneously to the Department upon receipt of the appeal notice. If the petitioner is not the applicant or permittee, the petitioner shall mail or hand-deliver a copy of the petition to the applicant or permittee. The Department shall certify the administrative record to the board. Petitions for a hearing shall be sent to:

Secretary, New Mexico Environmental Improvement Board
1190 St. Francis Drive, Runnels Bldg. Rm. N2153
P.O. Box 5469
Santa Fe, New Mexico 87502

If you have any questions regarding this permit please contact Coleman Smith in Santa Fe at (505) 476-4300, extension 5550.

xc via e-mail: Paul Wade, Class One Technical Services, Inc.

Enclosure: Industry/Consultant Feedback Questionnaire with envelope
Relocation Form for Portable Crushers and Asphalt Plants

PRODUCTION LOG FOR ASPHALT PLANTS
RECORDKEEPING REQUIREMENTS EXAMPLE WITH SAMPLE DATA

COMPANY NAME: ABC ASPHALT COMPANY BAGHOUSE USED (Y/N): YES .
NSR PERMIT #: 12345-M1 PERMITTED PRODUCTION RATE: 250 TPH

	PRODUCTION			CONTROL DEVICE MONITORING		COMMENT	
		TONS OF MATERIAL PRODUCED		PRESSURE AND/OR TEMPERATURE MONITORING NOTE FOR WET SCRUBBERS, MAKE UP WATER WOULD REPLACE TEMPERATURE		List any comment that would indicate problems with control equipment, scheduled maintenance activities, or any other things that would explain why water was not used on haul road or active pit areas	WATER USED ON HAUL ROADS (GALS)
DATE	START/STOP	TOTAL TONS	TONS PER HR	TEMP IN/OUT	DELTA P INCHES WATER COLUMN		
7-1-02	9AM-12PM	375	125	250/245	3 "	2 LOADS WATER TRUCK AT 9:30AND 11:00	1000
7-1-02	12:30-4:30	400	100	250/245	2.8 "	2 LOADS WATER TRUCK APPLIED AT 2:00 AND 3:30	1000
7-2-02	9-12:30	500	165	250/200	1.8 "	HEAVY RAIN ON EVENING OF 7-1, ROAD AND MATERIAL WAS VERY WET. TEMP AND DP ACROSS BH TOO HIGH, SUSPECT TORN BAG	0
7-2-02	1PM-5PM	600	150	250/245	3 "	REPAIR BAG. ROAD AND MATERIAL STILL WET. NO DUST FROM ROAD.	0
7-3-02	8AM-12PM	600	150	750	2.8 "	MATERIAL STILL WET BUT ROAD DRYING OUT. 1.5 TRUCK LOADS AT 8AM AND 11AM	500 1 LOAD AT 10:30
7-3-02	1PM-4PM	0	0	0	0	MAINTENANCE ON DRUM, CONVEYORS AND PUG MILL. PLANT DOWN	0
7-4-02	DOWN	0	0	0	0	HOLIDAY	0

PRODUCTION LOG FOR ASPHALT PLANTS
RECORDKEEPING REQUIREMENTS EXAMPLE

COMPANY NAME: _____ BAGHOUSE USED (Y/N): _____.
NSR PERMIT #: _____ PERMITTED PRODUCTION RATE: _____ TPH

	PRODUCTION			CONTROL DEVICE MONITORING			
		TONS OF MATERIAL PRODUCED		PRESSURE AND/OR TEMPERATURE MONITORING NOTE FOR WET SCRUBBERS, MAKE UP WATER WOULD REPLACE TEMPERATURE		COMMENT List any comment that would indicate problems with control equipment, scheduled maintenance activities, or any other things that would explain why water was not used on haul road or active pit areas	WATER USED ON HAUL ROADS (GALS) TOTAL TONS
DATE	START/STOP	TOTAL TONS	TONS PER HR	TEMP IN/OUT	DELTA P INCHES OF WATER COLUMN		

State of New Mexico Environment Department

Air Quality Bureau

1301-B Siler Road

Santa Fe, NM 87507

Telephone:(505) 476-4300 Fax: (505) 476-4375

INVOICE

Primary Billing Party:
Southwest Concrete And Paving Inc
PO Box 2278
Silver City, NM 88062-2278

Agency Interest:
529 - Southwest Concrete and Paving - 90TPH Asphalt Plant No0337
Not on file
Silver City, NM 88062

INVOICE ID: 59811

INVOICE DATE: 01/07/2009
INVOICE DUE DATE: 02/06/2009

ASSESSMENTS		
Air Quality, PRN20080001, Air - NSR Filing Fee	$500.00	
Air Quality, PRN20080001, Air - General Review Fee	$11,264.00	
INVOICED AMOUNT		$11,764.00
CREDITS		
Payment (01/07/2009)	$500.00	
Total Credits:		$500.00
BALANCE DUE		$11,264.00

Cut Here and Include Lower Portion with Payment

Primary Billing Party:
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Invoice Amount: $11,264.00

INVOICE DUE DATE: 02/06/2009

Amount Enclosed_____

Please make checks payable to:
Mail payments to:
NMED Federal Tax ID#: 85-6000565

New Mexico Environment Department
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1301-B Siler Road
Santa Fe, NM 87507
Telephone: (505) 476-4300 Fax: (505) 476-4375